



**AMERICANS FOR
PROSPERITY®**
OKLAHOMA

John M. Tidwell
State Director
jtidwell@afphq.org

December 14, 2018

To Members of the Oklahoma Ethics Commission:

On behalf of Americans for Prosperity-Oklahoma and the tens of thousands of Oklahomans we represent, we are writing to urge you to reject Amendment 2019-02 that would require reporting donations used for grassroots lobbying efforts that come before the state legislature or the Governor.

Should this policy be enacted, it would unduly infringe on Oklahomans' First Amendment rights to both the freedom of speech and freedom of association. While government transparency is necessary for the people to hold public officials accountable, Oklahomans do not owe the government that same level of transparency. Rather, our citizens deserve privacy when it comes to their perfectly lawful activities.

The amendment's broad definition of "indirect lobbying" will negatively impact every Oklahoman. It could force every citizen who organizes and advocates for their political views to reveal their permanent street address and phone number and create a website to display this information. This information will not enhance our political discourse. Instead, it will likely dissuade members of the public from engaging in the political process.

Freedom of association is a bedrock of American society and the landmark Supreme Court case *NAACP vs. Alabama* refined its protection at the federal level. This amendment to Oklahoma state law threatens this fundamental right. Our activists are seriously concerned about the constitutionality and reach of implementing this unjust barrier. In Fact, EVERY Oklahoman who has formed their own opinion on matters of the state or who shows interest in the public good should be deeply concerned.

This amendment itself lacks transparency. This amendment was made a mere 18 hours before today's meeting. Commissioners failed to make amendment language for today's vote readily available to all Oklahomans, rather deciding to legislate without consultation of the public. In October this amendment was discussed in fairly broad detail, a full 63 days ago. The people of Oklahoma deserve better than this.



**AMERICANS FOR
PROSPERITY***
OKLAHOMA

John M. Tidwell
State Director
jtidwell@afphq.org

Our ability to work alongside one another and share ideas does not mean we must make our views and our personal information public. While disagreements are inevitable, it's up to individuals to decide when and how to debate. Those in power shouldn't force individuals to register their beliefs or associations.

Our organization and its activists advocate for all free speech, not just speech that aligns with our own. It is critical to maintain a free and open exchange of ideas and allow ideas to prevail on the merits. As the great American orator Frederick Douglass once so profoundly stated, "To suppress free speech is a double wrong. It violates the rights of the hearer as well as those of the speaker."

Commissioners, we urge you to protect the freedom of speech of all Oklahomans and oppose today's amendment. I appreciate the opportunity to address this important issue today.

Signed,

John Tidwell
State Director
Americans for Prosperity-Oklahoma